

2/26/18 Class Action Prospector (Pg. Unavail. Online)
2018 WLNR 11816586

Class Action Prospector
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February 26, 2018

Volume 20; Issue XXX

BASF CATALYSTS: Certification of Class Sought in "Williams" Suit

20180226T000000-0500

The Plaintiffs in the lawsuit entitled KIMBERLEE WILLIAMS, et al. v. BASF CATALYSTS LLC, et al., Case No. 2:11-cv-01754-JLL-JAD (D.N.J.), move the Court for an order certifying the case as a class action under Rule 23(b)(2) or (b)(3) of the Federal Rules of Civil Procedure, or alternatively, under Rule 23(c)(4) on behalf of this proposed class of plaintiffs:

All persons within the United States and its territories who after March 7, 1984, filed a lawsuit against BASF for bodily injury for compensation or other relief arising from BASF's talc products who either: (A) had voluntarily dismissed or terminated the lawsuit as to BASF either before or after the suit was filed, including any voluntary dismissal or release of claims due to settlement; or (B) had their lawsuit as to BASF involuntarily dismissed.

The Moving Plaintiffs are Kimberlee Williams, Gayle Williams (successor personal representative to Nancy Pease, incapacitated), Marilyn L. Holley, Sheila Ware (successor personal representative to Donna Ware, deceased), Donnette Wengerd, and Rosanne Chernick. They filed the Motion in accordance with the Order of the Special Discovery Master (ECF Nos. 369 and 400).

For purposes of the class definition:

* "BASF" means and includes BASF Catalysts, LLC ("BASF") or any of BASF's predecessor companies that mined, manufactured, processed, distributed or sold talc ore or talc products, including but not limited to Engelhard Corporation, Engelhard Industries, Engelhard Minerals & Chemicals Corporation, Minerals & Chemicals Phillip Corporation, Eastern Magnesia Talc Company, Porocel Corporation and Pita Realty Limited (collectively "BASF Predecessor Companies").

* "Bodily injury" includes common law or statutory claims for personal injury, loss of consortium or per quod claims, survival claims or wrongful death act claims.

* "Persons" include individuals or entities who have or had the right to claim damages derivatively based on an injured person such as spouses, personal representatives and wrongful death beneficiaries.

Because discovery remains ongoing, the Plaintiffs request that the Court enter and continue the Motion until after the conclusion of discovery, at which time the Representative Plaintiffs will submit a more complete or supplemental evidentiary submission and memorandum of law in support of class certification. The Plaintiffs also ask the Court to appoint them as Class Representatives and to appoint their counsel as Class Counsel.

A copy of the Motion is available at no charge at <http://d.classactionreporternewsletter.com/u?f=9unWnyom>

The Plaintiffs are represented by:

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---- Index References ----

Company: BASF CATALYSTS LLC; BASF SE; FOX ROTHSCCHILD LLP; ENGELHARD CORP; ENGELHARD MINERALS AND CHEMICALS CORP; ENGELHARD MINERALS AND CHEMICALS CORP; POROCEL CORP

News Subject: (Business Lawsuits & Settlements (1BU19); Class Actions (1CL03); Consumer Protection (1CO43); Corporate & Business Law (1XO58); Funding Instruments (1FU41); Legal (1LE33); Liability (1LI55); Major Corporations (1MA93); Securities Law (1SE59))

Industry: (Chemicals (1CH04); Financial Services (1FI37); Investment Management (1IN34); Manufacturing (1MA74); Securities Investment (1SE57))

Language: EN

Other Indexing: (BASF Predecessor Companies; Eastern Magnesia Talc Company; Engelhard Corporation; Engelhard Industries; Engelhard Minerals & Chemicals Corporation; Minerals & Chemicals Phillip Corporation; Pita Realty Limited; Porocel Corporation) (Sheila Ware; Donna Ware; Marilyn Holley; Donnette Wengerd; Rosanne Chernick; Jared Placitella; KIMBERLEE WILLIAMS; Michael Coren; Gayle Williams; Nancy Pease; Christopher Placitella)

BASF Catalysts LLC

Word Count: 494

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